

ORIGINAL

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

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JAN 28 2004

Illinois Commerce Commission  
RAIL SAFETY SECTION

WISCONSIN CENTRAL LTD.,

Petitioner,

vs.

VILLAGE OF GRAYSLAKE, ILLINOIS,

Respondent.

DOCKET NO. T04-0005

Petition of Wisconsin Central Ltd. seeking an order of the Illinois Commerce Commission directing that an additional track and grade crossing be constructed at Center Avenue (DOT 689 720Y) on the Wisconsin Central Ltd. in Lake County, Illinois.

**AMENDED PETITION**

Now comes Petitioner, Wisconsin Central Ltd. ("WCL"), and petitions the Illinois Commerce Commission (the "Commission") for an order directing that an additional track and grade crossing be constructed at Center Avenue (DOT 689 720Y) on the WCL in Lake County, Illinois. In support of its Petition, WCL states as follows:

1. WCL is a rail carrier operating in Illinois and is a rail carrier within the meaning of the Illinois Commercial Transportation Law.
2. The Village of Grayslake, Illinois is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.
3. Center Avenue is a local road under the jurisdiction of the Village of Grayslake, Illinois.

DOCKETED  
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4. WCL owns and operates a main line of railroad through Cook County continuing into Lake County and to the Wisconsin border.

5. Metra currently operates ten commuter trains per day from Chicago to Antioch, Illinois on the WCL main line described in the preceding paragraph.

6. To improve safety and efficiency of Metra operations and to accommodate future additional Metra trains on WCL's main line, officials from the Engineering Department of WCL and Metra have determined that construction of an additional track, at grade, across Center Avenue in Lake County is necessary to safely accommodate the current and projected Metra trains without interference from or delay caused by freight operations.

7. The WCL traffic and timetable speed, current and projected Metra traffic and timetable speed, and existing and proposed warning devices are set forth in Exhibit A, attached and incorporated herein.

8. The proposed new construction at the grade crossing and the proposed division of cost for implementing the work are also set forth in Exhibit A.

9. A construction plan for the project is attached and incorporated herein as Exhibit B revised.

10. WCL proposes that it will pay for the new construction and crossing proposed as set forth in Exhibit A, including any required relocation of existing warning devices and any required installation of new constant warning time circuitry.

11. WCL does not agree to accept service by electronic means.

WHEREFORE, Petitioner Wisconsin Central Ltd. respectfully requests that the Commission:

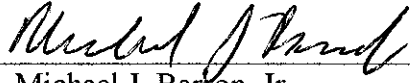
a. Set this matter for hearing with due notice to the parties;

- b. After hearing, enter an order directing Petitioner Wisconsin Central Ltd. to construct an additional track and grade crossing as set forth in Exhibits A, and B revised;
- c. Apportion the costs involved as set forth in Exhibit A; and
- d. Provide such other and further relief as the Commission deems just and appropriate.

Dated at Chicago, Illinois this 26th day of January, 2004.

Respectfully submitted,

WISCONSIN CENTRAL LTD.

By:   
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.  
CN  
455 North Cityfront Plaza Drive  
Chicago, IL 60611-5317  
Phone: (312) 755-7954  
Fax: (312) 755-7669  
michael.barron@cn.ca  
ARDC #6228809

**VERIFICATION**

David E. Crader, being duly sworn, deposes and says that he is Project Manager-Metra on behalf of Wisconsin Central Ltd., that he has read the foregoing Petition of Wisconsin Central Ltd., and that the contents thereof are true and correct to the best of his knowledge and belief.

David E. Crader

Subscribed and sworn to  
before me this 20<sup>th</sup> day of  
January, 2004.

Marietta D. Sullivan  
Notary Public



My Commission Expires: Aug. 28, 2005

## **EXHIBIT A**

Center Avenue  
Lake County, Illinois  
DOT 689 720Y

- Rail freight traffic: - 30 trains per day
- Timetable speed: - 50 mph
- Metra traffic: - 10 trains per day. (Metra proposes to increase this number to 20 trains per day.)
- Timetable speed: - 60 mph
- Existing warning devices: - Gates/flashers/CWT circuitry.
- Proposed warning devices: - Gates/flashers/CWT circuitry for two tracks.  
Devices now located on the west side of the track will be relocated further westward. Devices on the east side of the track will remain in place.
- Proposed crossing surface: - Premium full-depth crossing surface.

## **COST ALLOCATION**

WCL proposes that it will pay for the entire project.

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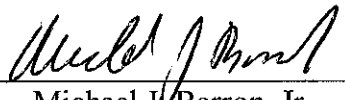
Petition of Wisconsin Central Ltd. seeking an order of the Illinois Commerce Commission directing that an additional track and grade crossing be constructed at Center Avenue (DOT 689 720Y) on the Wisconsin Central Ltd. in Lake County, Illinois.

**NOTICE OF FILING**

Mr. Michael Ellis  
Village Manager  
Village of Grayslake  
10 Seymour Avenue  
Grayslake, IL 60030

PLEASE TAKE NOTICE that we have this 26th day of January, 2004, mailed for filing with the Illinois Commerce Commission, Wisconsin Central Ltd.'s amended petition in the above-referenced matter, a copy of which is hereby served upon you.

WISCONSIN CENTRAL LTD.

By   
Michael J. Barron, Jr.  
Counsel for Wisconsin Central Ltd.  
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455 North Cityfront Plaza Drive  
Chicago, IL 60611-5317  
Phone: (312) 755-7954  
Fax: (312) 755-7669  
michael.barron@cn.ca  
ARDC #6228809

**CERTIFICATE OF SERVICE**

I, MICHAEL J. BARRON, JR., an attorney, certify that on behalf of Wisconsin Central Ltd., I served the foregoing Amended Petition of Wisconsin Central Ltd. upon those made a party to this proceeding by enclosing copies of the foregoing in envelopes addressed to those parties as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 455 North Cityfront Plaza Drive, Chicago, IL on the 26th day of January, 2004.

  
\_\_\_\_\_  
Michael J. Barron, Jr.

Mr. Michael Ellis  
Village Manager  
Village of Grayslake  
10 Seymour Avenue  
Grayslake, IL 60030

**PLEASE SEE**

**FORMAL FILE**

**FOR EXHIBITS**